

**REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

**I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-28 are currently pending. Claims 29-56 are canceled without prejudice or disclaimer of subject matter. Claims 1, 4, 7, 10, 13, 17, 18, 19, 21, 25, 26 and 27 are amended. Claims 1, 4, 7, 10, 13, 17, 21, and 25 are independent. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

**II. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 7-28 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,889,921 to Sugiyama et al. (hereinafter, merely "Sugiyama").

Claims 1-6 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,226,443 to Morioka et al, (hereinafter, merely "Morioka") in view of U.S. Patent No. 5,889,921 to Sugiyama et al.

Claim 1 recites, *inter alia*:

“...wherein said recording and reproducing means record ~~records~~ the different types of data to the predetermined areas of said plurality of record media corresponding to the record area information that is output from said input means;

wherein each of said random accessible record media is operable to store at least two different types of data thereby storing a higher quantity of data within each of said plurality of randomly accessible record media than storing only a single type of data therein.” (emphasis added)

As understood by Applicants, Morioka relates to a recording and reproducing apparatus for recording and reproducing hybrid data. This includes video data and audio data and additional data onto a recording medium.

As understood by Applicants, Sugiyama relates to a digital video/audio recording and reproducing apparatus with a video signal high efficiency encoder with a variable reduction rate.

Applicants submit that neither Morioka nor Sugiyama, taken alone or in combination teach or suggest the above-identified features of claim 1. Specifically, neither Morioka nor Sugiyama teach or suggest that each of said random accessible record media is operable to store at least two different types of data thereby storing a higher quantity of data within each of said plurality of randomly accessible record media than storing only a single type of data therein, as recited in claim 1.

Thus, Applicants respectfully submit that claim 1 is patentable.

For reasons similar to those described above with regard to independent claim 1, amended independent claims 4, 7, 10, 13, 17, 21, and 25 are also believed to be patentable.

### III. DEPENDENT CLAIMS

The other claims and are dependent from one of the claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

### CONCLUSION

Claims 1-28 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

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In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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